

Appln. No. 10/509,573
Amd. dated November 8, 2005
Reply to Office Action of August 10, 2005

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figure 1. This sheet replaces the original sheet including Figures 1 and 2. In Figure 1, the legends required by the Examiner in the Office Action have been added.

Attachment: Replacement Sheet

REMARKS

The Examiner's Action dated August 10, 2005, has been received, and its contents carefully noted. In response to the objections of the drawings, submitted herewith is a replacement sheet in which the required legends have been added to Figure 1. It is therefore requested that the objection to the drawing be reconsidered and withdrawn.

In response to the objection to the Specification, submitted herewith are a marked-up version and clean copy of a substitute Specification containing all of the changes required by the Examiner. Accordingly, it is requested that the substitute Specification be entered and that the objection to the Specification be reconsidered and withdrawn.

In response to the claim objections, claims 8 and 9 have been amended in the manner suggested by the Examiner. However, even though claims 8 and 9 incorrectly included the phrase "any one of the", the fact remains that each of those claims was identified as being dependent from only a single preceding claim. It is therefore submitted that the error, obviously inadvertent, should not have prevented these claims from being fully treated on the merits.

In response to the objection presented in section 6 of the Action, claim 6 has been amended to include the two revisions proposed by the Examiner.

Accordingly, it requested that the objections to the claims be reconsidered and withdrawn.

The rejection of claims 6-9 as unpatentable over or obvious in view of Cheng, or as obvious over Cheng in view of Sellers are traversed for the reason that the permanent magnet defined in claim 6 is not disclosed in the Cheng reference or obvious from that reference, whether considered alone or in combination with Sellers.

The present invention is directed to a permanent magnet for magnetic resonance, which magnet includes a yoke that, as defined in claim 1, "has an integral, substantially C-shaped and open structure with two columns". Neither of the applied references discloses a yoke having an open structure that is formed in part by two columns. Because the yoke has an open structure with two columns, it is more open than prior art yokes, such as that disclosed in the primary reference, thus providing an enlarged space for conducting examinations. The increased opening area provided by a yoke according to the present invention is depicted in attached Figures 3 and 4. The left-hand side of Figure 3 illustrates a yoke similar to that disclosed in the primary reference, while the right-hand side thereof shows the yoke according to the present invention with two columns. Thus, the yoke according to the present invention provides areas α and β for conducting examination,

whereas the yoke according to the primary reference only provides the area α .

The secondary reference clearly does not supply the deficiency in the primary reference.

It is therefore submitted that claim 6 clearly defines over the applied references, whether considered singly or in any reasonable combination, by the provision of a yoke having an "open structure with two columns".

Accordingly, it is requested that the rejections presented in sections 10 and 11 of the Action be reconsidered and withdrawn.

The rejections presented in sections 21, 22, 32 and 33 are traversed for exactly the same reasons. The published application relied upon in sections 21 and 22 of the Action is the national stage application of WO 01/53847 and the U.S. patent relied upon in the rejection presented in sections 32 and 33 is the patent that resulted from that published application. Thus, these rejections are based on exactly the same prior art as the rejections presented in sections 10 and 11 of the Action. This means that the traversals presented above are fully applicable to the rejections based on the published U.S. application and the issued U.S. patent to Cheng. Indeed, in view of this fact, the reason for the three sets of rejections is not clear.

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In any event, claim 6 defines patentably over any reasonable combination of the teachings of the applied references and it is therefore requested that all of the prior art rejections be reconsidered and withdrawn, that claims 6-9 be allowed and that the Application be found in allowable condition.

If the above amendment should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

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